

Prob 12B

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

**PETITION TO MODIFY THE CONDITIONS OR TERM OF SUPERVISION
WITH CONSENT OF THE OFFENDER**

(Probation Form 49, Waiver of Hearing, is on file)

Offender Name: Lilia FLORES

Docket Number: 1:99CR005272-02 REC

Offender Address: Bakersfield, California

Judicial Officer: Honorable Robert E. Coyle
Senior United States District Judge
Fresno, California

Original Sentence Date: 11-19-01

Original Offense: 21 USC 846 and 841(a)(1), Conspiracy to Distribute
and Possess With Intent to Distribute Cocaine and
Cocaine Base (CLASS A FELONY)

Original Sentence: Time served; 60 months TSR; mandatory drug testing;
\$100 special assessment

Special Conditions: 1) Search and seizure; 2) Financial disclosure; 3) No
pager/cellular phone without permission; 4) Mental
health counseling; 5) Register as a drug offender

Type of Supervision: Supervised release

Supervision Commenced: 11-19-01

Assistant U.S. Attorney: Kevin Rooney **Telephone:** (559) 498-7272

Defense Attorney: Mark Coleman **Telephone:** (559) 233-2333

Other Court Action:

06-01-04: The Court was requested to delete special condition
requiring drug registration due to releasee's offense
being a non-registerable offense.

RE: Lilia FLORES
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PETITIONING THE COURT

To modify the conditions of supervision as follows:

The defendant shall reside and participate in a residential community correctional center, for a period not exceed 120 days; said placement shall commence as directed by the probation officer pursuant to 18 USC 3563(b)(11). The defendant shall pay cost of confinement as determined by the Bureau of Prisons.

Justification: On April 21, 2005, the undersigned visited Ms. Flores at her residence located in Delano, California. Ms. Flores was instructed to visit the probation office the following Wednesday, April 27, 2005, at 9:00 a.m. The undersigned planned on having Ms. Flores fill out a delinquent Monthly Supervision Report and provide a urinalysis test to the female probation officer within our office. Ms. Flores failed to visit the office as instructed.

The undersigned attempted to contact Ms. Flores at her home on May 3, 2005, to discuss her missed appointment and to find out if her telephone number had been changed since the previous number provided was disconnected. During this visit the undersigned found Ms. Flores' two small children at home by themselves. The Delano Police Department was contacted and the children were transported by them to the Kern County Child Protective Services. Ms. Flores was arrested by the Delano Police Department on May 6, 2005, for an outstanding traffic warrant issued for failure to pay a fine. Ms. Flores was sentenced regarding case number DM064182A to 60 days jail. She was released on May 24, 2005.

On May 24, 2005, the undersigned confronted Ms. Flores with her failed appearance at our office and her admitted use of marijuana to her social worker along with her leaving her two small children at home by themselves. Ms. Flores admitted to marijuana use and failing

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to keep her appointment with the undersigned, but stated she left her kids with her younger brother. Ms. Flores stated she does not know why her brother was not there when I went by the house.

Ms. Flores signed a Probation Form 49 agreeing to placement in a community corrections center for up to 120 days. Ms. Flores will be attending parenting classes as instructed by her social services worker and she will be receiving drug counseling and submitting urinalysis tests at Turning Point, Bakersfield. Placement in a community corrections center will allow Ms. Flores the opportunity to seek employment and establish residence in the Bakersfield area. Ms. Flores' mother has agreed to take care of her children during her placement at the community corrections center.

Respectfully submitted,

/s/ Thomas A. Burgess

THOMAS A. BURGESS
Senior United States Probation Officer
Telephone: (661) 861-4392

DATED: May 31, 2005
Bakersfield, California
TAB:dk

/s/ Rick C. Louviere

REVIEWED BY: _____
RICK C. LOUVIERE
Supervising United States Probation Officer

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THE COURT ORDERS:

- (x) Modification approved as recommended.
- () Modification not approved at this time. Probation Officer to contact Court.
- () Other:

June 2, 2005

Date

/s/ ROBERT E. COYLE

Signature of Judicial Officer

cc: United States Probation
Kevin Rooney, Assistant United States Attorney
Mark Coleman, Appointed Counsel
Defendant
Court File